

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

PEER COMMUNICATIONS
CORPORATION,

Plaintiff,

V.

SKYPE TECHNOLOGIES SA, SKYPE,
INC. and EBAY, INC.,

Defendants.

www.pearsoned.com

CIVIL ACTION NO. 6:06cv370

JURY TRIAL DEMANDED

FINAL JUDGMENT

On October 7, 2008 this Court conducted a status conference in the case in light of the Court's July 25, 2008 Order to stay the case [Docket No. 122] in light of the Court's Memorandum Opinion on claim construction [Docket No. 113]. For the reasons discussed at the October 7, 2008 status conference and set forth in Plaintiff's Report in Connection with October 7, 2008 Status Conference, the Court finds and orders as follows:

It is hereby ORDERED, ADJUDGED and DECREED that Plaintiff's claim nos. 1, 9 and 14 with respect to United States Patent No. 6,519,625 ("the '625 patent") and claim nos. 1 and 16 with respect to United States Patent No. 6,961,748 ("the '748 patent") are invalid under 35 U.S.C. § 102(e)(2) over United States Patent No. 5,754,857 ("Gadol"). Final Judgment is hereby entered that Plaintiff take nothing from Defendants on that basis.

It is FURTHER ORDERED, ADJUDGED and DECREED that Plaintiff's claims for infringement based on the '625 patent claim nos. 2, 3, 6, 7, 10-13, 16 and 17 and the '748 patent claim nos. 2, 8, 9, 13, 14, 17, and 19-22 are dismissed with prejudice to the refiling of same against Defendants.

It is FURTHER ORDERED, ADJUDGED and DECREED that all of the Defendants' counterclaims against Plaintiff are dismissed without prejudice to the refiling of same against Plaintiff.

The relief granted herein disposes of all claims and all issues between all parties in this action.

So ORDERED and SIGNED this 7th day of October, 2008.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**